

James D. DiPasquale #11033  
DIPASQUALE & SUMMERS, LLP  
737 Bishop Street, Suite 1460  
Honolulu, Hawaii 96813  
Tel: (808) 240-4771  
james@ds-lawoffices.com

*Attorneys for Plaintiffs Scarlet Honolulu, Inc. and Walter Enriquez*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII**

SCARLET HONOLULU, INC. and  
WALTER ENRIQUEZ d/b/a GAY  
ISLAND GUIDE,

Plaintiffs,

-against-

HONOLULU LIQUOR COMMISSION.

Defendant.

Civil No.: 1:21-cv-457-DKW-KJM

**DECLARATION OF  
ROB SOBIERALSKI**

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I, ROB SOBIERALSKI, declare as follows:

1. My name is Rob Sobieralski, and I affirm that I am over 18 years of age and possess the necessary competence to provide testimony on the matters detailed herein. The facts presented in this affidavit stem from my direct knowledge and personal observations.

2. On the morning of October 23, 2023, I received an urgent call from Joseph Luna who had come across a disturbing message, "Rob is Dead," scrawled in close proximity to our community space. The message, which seemed to be a death threat aimed at me, caused immediate alarm for both Joseph and myself.

3. Given the explicit message, its strategic placement near the Honolulu Liquor Commission (HLC), and the timing of recent events, I have no doubt that it was a deliberate threat directed at me, and potentially, my partner, Robert Baldwin.

4. Throughout this ongoing case, I have submitted numerous Uniform Information Practices Act (UIPA) requests to the HLC and various state entities. My primary concern has been the persistent targeting of the LGBTQ+ community by the HLC, and these requests were made in an effort to bring to light the misconduct which remains largely obscured without access to the information largely held by the HLC.

5. On December 22, 2022, Investigator Catherine Fontaine filed a Petition for Ex-Parte Temporary Retaining Order and for Injunction Against Harassment in the District Court for the First Circuit. In the Petition, she claimed that she felt harassed by my UIPA requests and scared for her safety. The TRO was ultimately dismissed, and it was clear that this was nothing more than an attempt to limit or otherwise prevent me from obtaining information in connection with this case.

6. In a concerning breach of privacy prior to her TRO filing, Investigator Fontaine acquired and misused a photocopy of my driver's license—initially provided to the HLC for UIPA retrieval—to conduct a criminal background check through the CHIRP system, with the consent of then-acting HLC Administrator Anna Hirai.

7. The initial TRO granted to Investigator Fontaine was to be served in conjunction with a deposition subpoena by Defense Counsel Lex Smith, intentionally aligning legal intimidation with the active pursuit of information in this case.

8. I have always coordinated closely with the HLC regarding the UIPA response collection. Living mere blocks from the commission, I regularly traversed the path to One Waterfront Tower, a journey that did not escape the notice of the HLC personnel.

9. My usual route would take me by the very spot where the ominous threat materialized.

10. The week of October 23, 2023, was marked on my calendar for retrieving responses to UIPA requests I filed on October 15th, 18th, and 19th. The calculated timing and positioning of the threat leave me with a deep-seated belief in its intentional nature.

11. Driven by concerns for my well-being, I have relocated from Hawaii to Arizona and have resolved not to return until I can be certain of my safety.

Dated: 11/09/2023

*Robert Sobieralski*

